

## **REMARKS**

Applicants thanks the Examiner for the phone interviews conducted on April 12, 2004 and April 19, 2004 in which the pending claims were discussed. Applicants have incorporated the Examiner's suggestions.

Claims 8, 9, 11 and 19-30 were pending in the Application prior to the outstanding Office Action. Applicants have canceled claims 8, 9, 11, 20-22 and 30.

In the Office Action, claims 8, 9, 11, and 30 were rejected under 35 U.S.C. §102(e). Claims 19, 20, 22, 23 and 26-29 were rejected 35 U.S.C. §102(b). Claim 21 was rejected under 35 U.S.C. §103(a). Applicants will address each basis of rejection in sequence.

### **I. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §102(e)**

In paragraph 2 of the Office Action mailed February 24, 2004, the Examiner rejected claims 8, 9, 11 and 30 under 35 U.S.C. §102(e), as being anticipated by U.S. Patent No. 6,039,316 issued to Jackson et al. ("Jackson"). Claims 8, 9, 11 and 30 have been canceled. Thus, no response is required.

### **II. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §102(b)**

In paragraph 3 of the Office Action mailed February 24, 2004, the Examiner rejected claims 19, 20, 22, 23 and 26-29 under 35 U.S.C. §102(b), as being clearly anticipated by U.S. Patent No. 5,577,596 issued to Van Essen et al. ("Van Essen"). Each director 23 of Van Essen has a microprocessor 127 whose operation is disclosed in col. 7, line 31 to col. 8, line 22. Claims 20, 22 and 23 have been canceled and therefore, a response to the Examiner's rejections concerning these claims are not provided below.

#### **A. Independent Claim 19 patently Distinguishes over Van Essen**

*Van Essen* describes a sorting device in which objects are routed in a transport device. The transport device includes a field of individual transport units. Routing of objects is accomplished through control of the individual transport units.

Amended Claim 19 recites, among other things, a "new destination announcing its presence to its immediate upstream neighbor." This communication allows stored

routing information to be modified when a new destination becomes available. *Van Essen* does not teach or suggest any mechanism in which communication from a new destination to its upstream neighbor is utilized to modify stored routing information.

**B. Dependent Claims 26-29 Patently Distinguish over *Van Essen***

Dependent claims 26-29 depend directly or indirectly from independent claim 19. These dependent claims include all of the limitations of the independent claim from which they depend. Applicants respectfully assert that dependent claims 26-29 are allowable for at least the reasons set forth above concerning independent claim 19.

**III. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103**

In paragraph 6 of the Office Action mailed February 24, 2004, the Examiner rejected claim 21 under 35 U.S.C. §103(a) as being unpatentable over *Van Essen* in view of U.S. Patent 5,078,257 issued to Carter ("Carter"). Claim 21 has been canceled. Thus, no response is required.

**Additional Remarks**

In paragraph 7 of the office action, the Examiner indicated that Claims 24 and 25 contain allowable subject matter. Claims 24 and 25 depend directly or indirectly from Claim 19 which is in condition for allowance. Claim 24 has been amended due to the incorporation of subject matter from Claim 24 into Claim 19. Applicants respectfully assert that dependent claims 24 and 25 are also in condition for allowance.

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application are allowable, and a Notice of Allowance is requested.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-0639 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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